

REMARKS

In the present amendment, claims 44, 47, and 49 have been amended. Claim 56 is new. Support for the amendments can be found in the claims as originally filed and throughout the specification, e.g., at page 5, lines 6-10. No new matter has been added by the claim amendments.

Applicant notes with appreciation the indication of allowable subject matter, i.e., that claims 38, 39, and 41-43 stand allowed.

Rejection of claims under 35 U.S.C. §112, second paragraph

Claim 47 stands rejected under 35 U.S.C. §112, second paragraph, as being allegedly indefinite. In response, claim 47 has been amended to correct a typographical error.

Claim 49 also stands rejected under 35 U.S.C. §112, second paragraph, as being allegedly indefinite for reciting the language "parasitic infection." While Applicants do not agree that the claim was indefinite, to expedite prosecution, claim 49 has been amended to recite that the mammal is suffering from *Toxoplasma gondii* infection.

The pending claims are believed to be fully compliant with the requirements of 35 U.S.C. §112, second paragraph. Reconsideration and withdrawal of the rejection are therefore requested.

Rejection of claims under 35 U.S.C. §112, first paragraph

Claims 44-49 and 55 were rejected under 35 U.S.C. §112, first paragraph, as allegedly lacking sufficient enablement. The Examiner states that "[c]laims 44-49 and 55 are reach through claims." This rejection is traversed.

As an initial matter, Applicants disagree with the Examiner's characterization of the prior-pending claims as "reach through claims," and further disagree that the claims as previously pending were not enabled by the present specification.

However, to expedite allowance of the application, claim 44 has been amended, and now is directed to a method for treating a mammal suffering from a *Pneumocystis carinii* infection or a *Toxoplasma gondii* infection. As described in the present specification, dihydrofolate reductase (DHFR) inhibitors, such as the compounds of the invention, are useful for treatment of *Pneumocystis carinii* infection or *Toxoplasma gondii* infection (see, e.g., page 1, lines 18-23).

The claims dependent from claim 44 further define the inventive methods. Thus, for example, in certain embodiments, the subject mammal is immunocompromised (claim 45), including suffering from an acquired immune deficiency disorder (claim 47) or suffering from an autoimmune disorder or disease (claim 48) (see, e.g., the specification at page 23, lines 15-21). In certain embodiments, the mammal is suffering from *Toxoplasma gondii* infection (claim 49), or *Pneumocystis carinii* infection (new claim 56).

Applicants respectfully contend that the claims are amply supported by the present specification. Reconsideration and withdrawal of this rejection is proper and the same is requested.

CONCLUSION


For at least the above reasons, Applicant believes this application to be in condition for immediate allowance.

The undersigned requests any extensions of time necessary for consideration of this response. Although it is not believed that any additional fees are needed to consider this submission, the Director is hereby authorized to charge our Deposit Account No. 04-1105 should any fee be deemed necessary.

If the Examiner considers that obstacles to allowance still exist, the undersigned invite a telephone call at the number indicated below.

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Respectfully submitted,

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